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The Many Roads to One-Day/One-Trial

BY JAMES CARROLL

The disheartening experiences of most prospective jurors in assembly rooms around California do little to ease the task of jury management. But by this time next year, popular dread of this civic duty could be a distant memory as the courts undertake one of the most widespread and visible jury reforms in the state's history.

Last September, then Governor Pete Wilson signed legislation promoting a one-day/one-trial jury service system throughout the state. Governor Gray Davis has picked up the call for one-day/one-trial, one of the recommendations included in the 1996 report of the Judicial Council's Blue Ribbon Commission on Jury System Improvements, and included a modest amount, \$1.2 million, in his 1999-2000 budget proposal to help counties implement the system.

One-day/one-trial works like this: a prospective juror, once summoned, appears at the courthouse. If selected for a jury, service for that trial satisfies the juror's obligation for a specified

period, usually one year. If the prospective juror is not selected for a trial that day, he or she is excused and the one-day appearance fulfills his or her obligation for that period.

The new law, effective January 1, 1999, directs the Judicial Council to formulate rules for a statewide one-day/one-trial system. Proposed rule 861 of the California Rules of Court "requires every trial court to implement, by January 2000, a procedure by which a person summoned for jury duty is not required to serve more than one day on call or the duration of one trial. Those counties that can demonstrate good cause why such a requirement is impractical may be exempted."

While a statewide one-day/one-trial juror system is new to California, the system has been in place in many counties for a decade or more and in at least

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While many courts will initiate one-day/one-trial jury systems this year, others have used it for decades with remarkable success. *Photo: Russ Curtis.*

Q&A with Assembly Member Sheila James Kuehl

Editor's note: In a recent profile in one of the state's legal newspapers, a conservative colleague of Assembly Member Sheila James Kuehl paid her the kind of compliment that passes for high praise in Sacramento. "There's no mush there," he said, explaining that she is "smart, very analytic, with a clear-cut set of principles that are easy to navigate by." In this Court News interview, Assembly Member Kuehl, the newest member of the Judicial Council, speaks for herself.

Q As Chair of the Assembly Judiciary Committee, what do you think are the most important issues the committee will address this year?

A There are at least two very large issues that the committee is going to be called upon to address. One is an overhaul of the child support enforcement system. Concerns have been building for years about the fact that support enforcement is chopped into 58 jurisdictions, and that it can only be done by district attorneys. In some coun-

ties that is a good thing and in some counties it's just not something that the district attorney is prepared to do. I have introduced a bill—essentially intent language—and we're going to have hearings to begin to move a little bit more toward some statewide oversight of all 58 counties. I don't see any way we're going to be able to do it without getting the information technology to work, and maybe some flexibility as to which agency in each county will be assigned to do this. So that's going to be a big issue.

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The Administrative Office of the Courts has moved into its new home, the Hiram W. Johnson State Office Building. It is located at 455 Golden Gate Avenue, San Francisco, CA 94102-3660. For main phone numbers, see page 15. *Photo: William A. Porter.*



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Counties Using One-Day/One-Trial*

Butte, Contra Costa, Del Norte, Humboldt, Inyo, Kings, Madera, Marin, Mariposa, Merced, Orange, Plumas, Riverside, San Bernardino, San Joaquin, San Luis Obispo, San Mateo, Santa Barbara, Shasta, Solano, Stanislaus, Sutter, Tulare, and Ventura.

* Includes counties with variations on strict one-day/one-trial rules.

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one as early as 1976. As of February, 24 counties reported that they have implemented one-day/one-trial systems (see sidebar). What do court administrators in these counties know that can help smooth the transition elsewhere?

GLOBAL APPROACH
Contra Costa County converted to a one-day/one-trial system six years ago. The goal, says Sherry Dorfman, Assistant Executive Officer at the Superior Court of Contra Costa County, was “simply to find a better way to do business.

“We were looking for a way to make jury service more convenient. The one-day/one-trial system seemed like a better alternative—to ask people to give up one day knowing it would be the only commitment they would need to keep.”

It helped, Ms. Dorfman adds, to change automated systems at the same time, making a one-time shift in procedures.

“A change like this needs to be a planned transition,” she

advises. “It needs media attention to make the public aware of the change. The public’s perception is a big part of it.”

There is an internal communications job as well, Ms. Dorfman says. “It’s important to have a champion of the system in the courts, someone who believes in it and can sell it.” Judges need to participate in the process so they understand the implications of the change, and because the one-day system often increases workload for jury management staff, systems need to be reevaluated. In Contra Costa, for example, workloads were affected by a new voice-processing system that diverted phone calls and by a contract with a summons service provider.

The courts in Contra Costa County issue about 200,000 juror summonses for 400 to 500 jury trials annually. Jurors are not paid until sworn in. It’s a policy Ms. Dorfman advises against. “When we changed the system in 1993, paying only sworn jurors was a sensible alternative, but now counties differ. If courts can afford paying jurors for the first day of appearance, I think they should.”

TELL EVERYONE
The Superior Court of Riverside County began one-day/one-trial service in 1993 at the main courts and phased the system in at other courts over the last two years. Deputy Executive Officer Gloria Boyter recalls that the initial motivation was cost savings. As in Contra Costa and many other counties, jurors were paid only when they were sworn in. That’s now changed in Riverside, where the courts decided to compensate all jury time.

Ms. Boyter reports that Riverside’s system is “working great; we’re very satisfied.” Her primary concern now is the increase in jury trials. Last year Riverside sent 782,201 summonses, which resulted in 449,358 prospective jurors for 746 trials.

Ms. Boyter recommends an aggressive communications campaign. “The courts really need to make the public aware. They need public service announcements and newspaper articles on the change. When people know what they can expect, it can significantly increase your response rate.” She adds, “Employers also need to know about the change.

Then they are more willing to allow time off to jurors.”

SMALLER POOLS
Shasta County has had a one-day/one-trial system since 1984. “In a small county the politics are a lot different,” notes Executive Officer Susan Null. “You tend to see the same people over and over because you don’t have such a large pool, and yet we do have a large number of jury trials.”

Last year Shasta issued some 50,000 juror summonses to accommodate 150 jury trials. Null points out that while some larger counties have low response rates, in Shasta 65 percent of those who receive summonses appear for duty. Additional efforts raise the response rate toward 90 percent. She attributes this enviable response in part to the ease of one-day/one-trial.

“We have a higher show-up rate because citizens know we’re not going to hold them up for any length of time if they are not put on a jury.”

Ms. Null says that the system in Shasta is proof that one-day/one-trial can work even in smaller counties. “I’d tell my colleagues not to be afraid of running a one-day/one-trial program because it does work. Change is hard for some people, and it can be scary to continually call upon the same jury pool. But the one-day/one-trial system makes sense to people.”

Karen Richardson, Assistant Court Executive Officer at the Superior Court of Marin County, which has had a one-day/one-trial system for more than 20 years, agrees that the greatest challenge is managing the increase in prospective jurors.

“The hardest thing for the transition in any county is to make sure you have enough in the jury pool. You’ll need to carefully look at the yield in the courtroom. You’ll probably need to over-summon in the begin-

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Poll Reveals Juror Biases

- ▶ More than three-quarters of potential jurors around the country are inclined to ignore the instructions of the judge if they are contrary to what the juror believes is right.
- ▶ Nearly eight in ten believe that corporations willfully engage in cover-ups.
- ▶ More than three times as many jurors admit to bias in cases involving homosexuals than in cases involving Hispanics, African Americans, or Asian Americans.

These startling findings are from a nationwide survey of potential jurors sponsored by the *National Law Journal* and DecisionQuest, a trial consulting firm.

More than a thousand adults were surveyed over the telephone October 2–4, 1998. The group was representative of the U.S. population in the 48 contiguous states. The sampling error of the survey is plus or minus 3 percent.

- Among other findings, as reported by the *National Law Journal*:
- ▶ While 61.3 percent of those questioned said they believe law enforcement officials usually tell the truth when they testify, a significantly smaller percentage of African Americans (38.5), Hispanics (43.1), and people with annual incomes under \$20,000 (49.9) hold the same opinion.
 - ▶ More than 40 percent of those polled and more than 70 percent of African Americans polled believe minorities are treated less fairly than others by the criminal justice system.
 - ▶ Almost a quarter of those polled and almost 50 percent of African Americans said they would do their best to get out of jury duty if called.

West Coast Attitudes				
While the opinions of jurors who live on the West Coast did not differ significantly from those of jurors from other regions on most of the issues included in the <i>National Law Journal</i>		DecisionQuest poll, westerners tend to have more liberal responses on some measures of fairness and impartiality. The chart lists five questions that reveal a statistical significance		between survey respondents in the Pacific states (California, Washington, Oregon) and those in the rest of the country.
Question	Pacific (%)		All Other (%)	
	Yes	No	Yes	No
Do you think you could be a fair and impartial juror in a case where one of the parties was a homosexual or lesbian?	88.2	11.1	76.3	18.2
Do you think you could be a fair and impartial juror in a case where one of the parties was a Hispanic?	98.0	2.0	92.4	5.2
Do you think you could be a fair and impartial juror in a case where one of the parties was an Asian?	97.4	2.6	91.6	5.8
Do you think you could be a fair and impartial juror in a case where one of the parties was a Caucasian?	96.7	3.3	92.1	5.7
Do you think you could be a fair and impartial juror in a case where one of the parties was a woman?	98.0	2.0	92.1	5.5

One Day/One Trial

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ning and then modify the numbers based on the response.”

Marin County last year issued 23,644 summonses to enlist 11,722 prospective jurors for 126 jury trials.

Ms. Richardson also notes that counties that rotate names every 24 months may need to increase the frequency. Still, “the one-day/one-trial system minimizes the time someone’s personal life is disrupted, and people appreciate that.”

TESTING THE WATERS

So far, most of the media attention on the transition to one-day/one-trial has focused on Los Angeles. Because of its sheer size—Los Angeles County sent questionnaires to more than 3.2 million prospective jurors and issued 338,137 summonses for 6,315 jury trials last year—Los Angeles’s situation is unique.

“We’re trying to find out what the bugs are for Los Angeles,” says Judge Jacqueline A. Connor of the Los Angeles Superior Court and a member of the Judicial Council’s Task Force on Jury System Improvements. “We have 23 different courthouses competing in some places for the same jurors. Downtown competes with 22 other courthouses. Only a handful have their own jury pools.”

Judge Connor notes that the courts have planned one-day/one-trial pilot projects starting in May for Pomona Municipal Court, which has a distinct jury pool, and Pasadena Municipal Court, which shares a jury pool with other courts.

In spite of the magnitude of the change in Los Angeles, Judge

Connor is optimistic about the transition. “We can do it,” she says. “Unfortunately it’s going to cost money, but we’re going to have to have the support for phone system improvements, orientation, and new procedures for getting jurors out to the courtrooms. We’re committed to it; none of us like to see jurors sitting around for 10 days.”

MAKING IT HAPPEN

The 34 counties contemplating the change to one-day/one-trial will have help. The council’s Task Force on Jury System Improvements is evaluating what resources would be most helpful to those trial courts.

Task force chair Judge Dallas Holmes of the Superior Court

of Riverside County predicts that in the end the impracticalities will not cause many counties to file exemptions to the new court rule. “We are going to use the resources we have in the counties where it is working and make those people available on site if necessary to help local staff get over the hurdle,” says Judge Holmes. “We may have to buy some plane tickets, but the more you learn about one-day/one-trial, the less you fear it.”

Judge Holmes admits that problems can be expected in some counties that must manage finite juror pools. But he points to other counties that have expanded their pools or worked with judges to modify their requests for jurors.

“The biggest benefit is juror morale,” says Judge Holmes. “It removes the most common complaint we’ve been hearing from

From large counties to small, experience shows that this is one reform the public supports and appreciates.

jurors, that they are basically told to hurry up and wait. Days go by, and they have better things to do with their time.

“The beauty of one-day/one-trial is that they’re either in a courtroom or they’re back home or at work.”

● Contact: Kim Taylor, Program Manager, Jury System Improvement Program, Trial Court Services, 415-865-7588. ■

Bill Seeks Increase in Juror Pay

The Judicial Council seeks to increase pay for jurors. It has sponsored Assembly Bill 592, co-authored by Assembly Members Carole Migden and Scott Baugh. The bill, which was introduced February 19, would increase from \$5 to \$15 the daily fee paid to jurors beginning their second day of service and would reimburse child and dependent care costs to jurors who claim hardship.

Jurors Get a Free Ride

Come April, San Diego County residents won’t be able to use lack of transportation as an excuse for not showing up for jury duty.

California’s second largest county will offer jurors free transportation for their full term of service, as a result of an agreement by the Superior Court of San Diego, the Metropolitan Transit Development Board, and the county Air Pollution Control District. The revolutionary pact will guarantee that each of the 700,000 jurors summoned annually countywide gets, at the least, a free roundtrip on public transit. Persons willing to waive the reimbursement check they would normally receive for one-way car mileage will receive roundtrip transit tickets for the entire length of jury service, whether for the current five-day minimum or a three-month trial.

AFFORDABLE, CONVENIENT

The program will be funded by a combination of a public service rate reduction of 25 percent from county transit providers, a \$10,000 grant from the Air Pollution Con-

trol District to reduce vehicular emissions, the waived mileage fees, and a subsidy from the superior court.

“This tremendous outreach program will make jury service more convenient and affordable,” comments Presiding Judge Wayne L. Peterson. “It will also improve access to jury service by eliminating transportation barriers for all potential jurors. Jurors can forget about parking and ride to the courthouse in comfort on the Coaster, the trolley, or express buses. This will be especially important to jurors serving downtown, where parking lots nearest the courthouse charge as much as \$14 a day.”

The transit district will install expanded route and ridership information in all courthouses, using a model that was created two years ago. At that time, one free one-way trip was offered downtown. The response was so positive, says Presiding Judge Peterson, that the court and transit board began to work almost immediately on ways to expand the system countywide.



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A second very large issue is HMO liability, as well as independent review questions for patients. The speaker has indicated that all HMO reform bills with arbitration or mediation or litigation issues will come to the Judiciary Committee. Family law issues are usually more than half the bills we get; I’m sure that will continue to be the case.

Q Specializing in family law and domestic violence matters as you have, what areas are of particular concern to you, and how do you propose to make improvements in them?

A I see the issues in family law as fairly discrete from the issues of domestic violence in the civil arena. On the family law side I think that we’ll probably see a bill trying to soften the results of the spousal support amendment of a couple of years ago. That change essentially re-

sults in spousal support ceasing after 50 percent of the length of the marriage. We’re continuing to hear concerns, especially from the nonworking spouses in long marriages, that the expectations that they could become self-sufficient after so many years of not being in the work force is really unrealistic. In the custody arena I think we’ll again have the struggle about joint custody and whether it should be mandated, which is not an approach that I have favored.

In the domestic violence arena there are a lot of different proposals, but I’m happy to say these are really tweaking the law. There are not huge gaps in the law. In 1997, I introduced a bill to create a rebuttable presumption against custody to a batterer and I intend to bring that bill back. Although I was very pleased with the work that we did, it was really so much of a compromise that I don’t think it accomplished what was of most concern to me. Telling a judge “You need to take these things into account, and you need to be concerned about the

safety of children” is not enough. We have always built that into the best interest standard. Other bills have said “Let’s just call it

“There are at least two very large issues that the committee is going to be called upon to address. One is an overhaul of the child support enforcement system. . . . A second is HMO liability, as well as independent review questions for patients.”

the safety of the child,” or “Let’s just call it welfare”; I want to call it what we want it to be: a rebuttable presumption.

Q The face of the Legislature has changed since you were elected to the Assembly in 1994. How do you think the changes have affected (or will affect) the Judiciary Committee and the Legislature as a whole?

A The major problem that the large member turnover causes for the Legislature is the need to start essentially from ground zero in education on any set of issues. With members, you build not only relationships, but also an understanding and a

knowledge base. For example, I now understand a great deal more about water law than I ever did. And I understand a great

deal more about recycling laws or even child welfare laws. I was a family law practitioner and a professor, but I never knew much about foster children, for instance. My successor will come in with no knowledge of these things. Assembly Member Dion Aroner, who will still be here after I’m gone, will need to start all over again with the next 27 people talking about foster care issues, group home issues, social workers—what they’re licensed to do, and so forth. It’s the same in family law. Most people don’t know about family law except about what’s happened in their own family—and that could be their own divorce or divorced parents. Their experience is often very negative.

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Right now, I don't know where most of the Assembly Judiciary Committee members stand on the issues. I don't know who is divorced; that makes a big difference. But it's not clear to me what factors really impact the outcome. Chairs of the committees also have an enormous influence, especially with new members. New members may come onto the Toxics Committee or the Banking Committee and say, "I'm learning, but I don't know very much about these issues, so I'll follow the lead of the chair." They give you a lot of deference to begin with. Then, as they learn, they have their own personal feelings about one issue or another—and family law issues are like that, very, very personal—you might find that you learn something about a member that you didn't know. Last year I introduced a bill involving spousal support, and two members I would have taken for granted on most issues voted against it. But they had personal experience that led them to feel differently about the very personal issue of spousal support. And that's one thing you don't want to learn on the floor.

Q What are the concerns that your constituents have about the judiciary and the courts?

A Because I'm on the west side of Los Angeles, for the most part my constituents are very empowered, well educated, and fairly affluent. So many of them are able to hire attorneys to represent them and they don't have the same kind of con-

cerns that pro pers often do in the system.

If I consider my constituents to be beyond the boundaries of my district—which I often do—family law litigants, victims of violence, etc., then I would say the concerns really have a lot to do with two things. One is people's feelings that they are not heard in court. They feel that the court is set up to silence people rather than to get at the truth. I believe that people assume the court is there to hear all the information, so that the court is not in the dark about anything, and then it makes a decision. So people are completely stunned when the rules of evidence don't allow them to bring in certain information.

"In the domestic violence arena there are a lot of different proposals, but I'm happy to say these are really tweaking the law. There are not huge gaps in the law."

For example, if you asked a person on the street, "If a guy is accused of beating his wife and you know that he beat the first three wives and was convicted, would you want to know this if you were a juror?" Everyone that you asked would say, "You bet I do. Because as a juror that's relevant information to me." People don't understand being silenced.

The other thing I hear a lot is about what we used to call "bias," which is judges' making inappropriate comments in court or refusing to believe that a child was molested. Again these examples are all in the family law arena. These have never been issues that were very easy for us to solve with rules of court. I'm a big fan of judicial education, so to tell you the truth, it's a bit of a frustration for us in

the Legislature that we can't say judges must study this and they must go to class for that. We really depend on the Judicial Council to identify those areas as important.

I also think the judicial appointment process up to this date has not resulted in the variety of experienced attorneys that I would like to see on the bench. I'm not the first person to say that a high number of prosecutors were appointed to the bench and many of them are now hearing family law cases. They don't respect family law; they don't want to do family law; it's considered a terrible assignment for them. But I know 10 family law attorneys who have been sitting pro tem who would love to be ap-

pointed, who would make great judges, and who are very qualified to sit on a family law bench and would be very happy to do so. This is not necessarily an issue for the Judicial Council, but more diversity in appointment—which I'm hoping will come about in this administration—will also help litigants feel that a judge understands their case.

Q What changes would you make to enhance the courts' efficiency?

A It's been a very long time since I've had anything to do with the courts personally. That's where you really see the courts' efficiency or the lack of it. I have to say one of my very favorite new rules is the one-day/one-trial jury service rule. It is brilliant! And that can enhance the courts' efficiency. As a practicing lawyer, I had a "solo practitioner's point of view" about the courts, and I did not suffer in any way from inefficiency at the court.

Q As a new member of the Judicial Council, what would you like to see the council focus on?

A It really builds on what I was saying about judicial training and education. I do think that it's very difficult for judges to be steeped in the law of every single assignment that they might get. And obviously the judges' job is to learn as they go along, just like legislators do. For example, I took tax in law school once and that was about it. If I get appointed to the Rev & Tax Committee, my job is to learn about it, to do the research. If judges have assignments in which they're going to hear a lot of cases in a particular field, it shouldn't be optional to attend some class on this area of the law.

I'm under the impression that judicial education is still very much up to the individual judge. I would like to see the Judicial Council be more aggres-

sive about requiring a judge who has a fairly long-term assignment in any area to have to complete some course of review on the current law in that area. You might have known something 10 years ago and now you're in a new assignment but you have no idea what the law currently is. I think that litigants expect judges not only to be unbiased, but to be perfectly trained in the area of law upon which they're making decisions. So I'd like to see the Judicial Council be more aggressive in this area.

Here's another example in the family law arena. There's a big conflict between the counties that have mediators who can recommend to the judges what the custody outcome should be when

there is no agreement in mediation. And other counties say, "No, a mediator is a mediator. The mediator should not be telling anything to the judge." If the mediation should fall apart, then the parties should go into an entirely new evaluation with someone who says to the parents up front, "I'm an evaluator, I'm going to make a recommendation, and I can be cross-examined." There has been no attempt to reconcile those two points of view so that we have consistency from one county to the next. I would think that this is a job that the judiciary should try to do for itself. I don't know if this has to be solved by legislation, or whether it's an issue that the Judicial Council could address. And it's a very thorny one. I don't think a mediator should ever recommend, because this violates the trust that people put in the mediator. And I'm sure there must be 9,000 other issues like that.

I also have very much appreciated, even when it hasn't exactly been in the same place that I was, the expertise that has been provided, especially from the Judicial Council committees, on various areas of law. For example, there are juvenile court issues that the judicial officers know so much better than legislators do. It's very helpful when judges like Len Edwards [Superior Court of Santa Clara County] and Terry Friedman [Los Angeles Superior Court Children's Court] and a number of folks who are interested in what the law itself says put in their time on these committees to articulate what is needed.

I think that the work of the Judicial Council is very important. It's also the case that the rules of court cover a huge number of areas that legislation can't touch because of the separation of powers. So I hope that the Judicial Council will continue to bring the courts into the kind of self-examination that helps make decisions. ■



Sheila James Kuehl

Sheila James Kuehl

Sheila Kuehl is a pioneering civil rights attorney and law professor who represents the 41st District in the California State Assembly. Assembly Member Kuehl serves on the Human Services, Judiciary, Natural Resources, Public Safety, and Rules Committees.

Co-founder and former managing director of the California Women's Law Center, Assembly Member Kuehl is a national trainer on domestic violence issues for judges, prosecutors, law enforcement officers, and women's advocates.

Before her election to the Assembly, Ms. Kuehl had drafted and fought for more than 40 pieces of legislation on assaults against women, child support, child care, and sex discrimination in employment and education. She is a past president of the Women Lawyers' Association of Los Angeles and a former trustee of the Los Angeles County Bar Association.

Ms. Kuehl recently finished three years of service on the Executive Committee of the Conference of Delegates of the State Bar of California. She also serves on the Advisory Committee of the National Council of Juvenile and Family Court Judges' Model Domestic Violence Code Drafting Project, the Governing Committee of the National Domestic Violence Hotline, and the Board of Advisors of the new National Resource Center on Custody, Child Protective Services, and Domestic Violence. She is past chair of the boards of the Sojourn Shelter for Battered Women and the Ocean Park Community Center, both in Santa Monica.

Assembly Member Kuehl is a 1978 graduate of Harvard Law School, where she was the second woman in the school's history to win the Moot Court competition. She teaches Gender and Law and Employment Discrimination at both Loyola University School of Law and the University of California at Los Angeles School of Law. In her youth, she played the irrepressible Zelda Gilroy in the television series, "The Many Loves of Dobie Gillis."

Kudos to Kleps Award Winners

California courts’ innovative programs, which reflect their creativity, courage, and commitment to the administration of justice, are recognized annually by the Ralph N. Kleps Award for Improvement in the Administration of the Courts. Named for California’s first Administrative Director of the Courts, the Kleps Award, the highest honor the Judicial Council bestows on the courts, was instituted in 1991.

At a luncheon on March 11 during the California Judicial Administration Conference in Long Beach, Chief Justice Ronald M. George will present the award to the 11 recipients.

The award-winning programs are described below.



Defendants assigned to cleaning up downtown Chico make a difference while serving out their Superior Court of Butte County sentences. Photo: Susan Cavanagh.

Superior Court of Butte County: Downtown Chico Business Association Cleanup Project

The Superior Court of Butte County has implemented a unique win-win partnership that blends justice with service to the community.

The court’s Kleps Award honors a project developed by Judge Darrell W. Stevens in cooperation with the Downtown Chico Business Association (DCBA) and the City of Chico to keep the picturesque turn-of-the-century downtown area clean—a challenge in a community that is home to a modern university. The partnership supports what would otherwise have been a prohibitively costly cleanup by having court-assigned defendants clean the area three days a week, devoting more than 1,000 hours of service each year to the downtown and to citizens who enjoy the city’s historic center.

The court and the DCBA try to involve the defendants in the community by encouraging them to participate in downtown special events. Seasonal concerts in the park, a farmers’ market, and the annual Christmas-tree lighting are among the events in which defendants join other community volunteers to make a difference.

Defendants perform community service at more than 100 locations throughout Butte County, but the DCBA Cleanup Project is the perfect example of a punishment that fits the crime—giving those charged with littering and graffiti and defendants convicted of fouling the downtown area a sentence of cleaning it up.

Court Compliance Specialist Susan Cavanagh manages the work referral program.

● Contact: Susan Cavanagh, Court Compliance Specialist, 530-891-2726.

Superior Court of Shasta County: Domestic Violence Imaging Project

Partnering with the City of Redding, the Superior Court of Shasta County developed the Domestic Violence Imaging Project to eliminate delays in law enforcement’s access to protective orders for verification and enforcement. The new procedures ensure that domestic violence litigants are protected early on and also make it easier to communicate to law enforcement the existence of restraining orders.

All protective orders in domestic violence and family law cases are now in an automated imaging system that is accessible electronically to all law enforcement in Shasta County 24 hours a day, 7 days a week. In the past, if officers had any questions in the field after hours, they had no way of verifying the court-ordered information.

A representative in court helps litigants complete the order after hearing, which then goes to the clerk’s office, where it is scanned into

the system. Thus, law enforcement has the restraining order immediately, and the litigant is protected even before leaving the building.

“We’ve definitely tightened things up to make sure that law enforcement is able to enforce the orders,” says Assistant Court Executive Officer Melissa Fowler-Bradley.

Courts considering implementing such a program must first ensure that their case management system is image-enabled, Ms. Fowler-Bradley notes. “It takes money, but it can be done.” And the results are worth it. “The program is an assistance to law enforcement and a wonderful service to the public.”

● Contact: Melissa Fowler-Bradley, Assistant Court Executive Officer, 530-225-5295.

Superior Court of Yolo County: Supervised Visitation Program

The Superior Court of Yolo County had no idea how great a service it was providing when it created the Supervised Visitation Program in 1997. This community–justice system collaboration allows noncustodial parents who have substance abuse problems or a record of violent offenses and who have no one available to supervise child visitation to continue seeing their youngsters. Although the court protects children by requiring a trustworthy person to supervise their visits with these parents, parents without the help of family or without money to pay for private supervision (which can cost up to \$50 an hour) were cut off from their children.

Today the program, which costs \$5 per hour, serves about 50 parents as part of the consolidated Domestic Violence/Family Court led by Juvenile Court Co-Presiding Judge Donna M. Petre. The judge, whose brainchild it was to initiate the low-cost alternative, says modestly, “Never underestimate how much people are willing to help if you can articulate what you’re trying to do.” She describes how various forces joined to make the program a reality: a church volunteered its facilities for the visitations and the county later also added a facility; the church provided volunteers whom law enforcement and the district attorney’s office trained in abduction prevention; police conducted background checks on and fingerprinted the volunteers; and the local bar association provided funds for cellular phones and walkie-talkies so volunteers and their supervisor could stay in touch.

While the program protects children, it also helps motivate parents to rehabilitate. “We’re fortunate to have the opportunity to do something that will make life better for the citizens in our community,” says Judge Petre.

● Contact: Co-Presiding Judge Donna M. Petre, Juvenile Court, 530-666-8610.

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Courts Get Guidance for Community Collaboration

The Special Task Force on Court/Community Outreach presented its final report, which includes information about the research and activities of the task force, fulfilling its original charge, as well as a handbook entitled *Dialogue: Courts Reaching Out to Their Communities—A Handbook for Creating and Enhancing Court and Community Collaboration*, to the Judicial Council at its February 9 business meeting. The task force is chaired by Los Angeles Municipal Court Presiding Judge Veronica S. McBeth.

The council approved the task force report and recommendations urging the council to encourage judicial officers and court staff to engage in—within the constraints of the Code of Judicial Ethics—court and community collaboration programs and activities to help build public trust and confidence in the state justice system. The council also approved a new standard of judicial administration and amendments to three rules of court.

The handbook includes an extensive ethics analysis; a discussion of community justice initiatives; and practical tools, samples, and resources to help courts immediately initiate public outreach efforts. Staff is finalizing publication details for the handbook, which will be sent to all courts in March and April.

STAY TUNED

Future issues of *Court News* will report on some of the programs and projects featured in *Dialogue: Courts Reaching Out to Their Communities—A Handbook for Creating and Enhancing Court and Community Collaboration*.

The handbook provides examples in the following areas: Communicating With the Community, which discusses customer service development and partnerships for providing civics education; Building Relationships With Partners and Volunteers, which identifies organizations interested in partnering with local courts; Community Justice—Addressing Community Problems Through Justice Initiatives, which describes criminal and civil justice programs; and Courts as Educators—Model Public Education Programs, which encompasses topics such as Working With Youth and Schools, Juror Education/Appreciation, Speakers Bureaus, Courthouse Tours, and Public Information Materials.

● Contact: For information about the report of the Special Task Force on Court/Community Outreach and the *Dialogue* handbook, contact Shelley M. Stump, Planning Coordinator, Research and Planning, Council and Legal Services Division, 415-865-7453. For information about the California Court and Community Collaboration Project, visit its Web site at www.courtinfo.ca.gov/programs/community/.

Kleps Award

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Superior Court of Alameda County: *Decision Support and Operations Management Information System (DOMAIN)*

Increasing demands for more information of greater accuracy so the Superior Court of Alameda County could manage more efficiently presented a challenge. The difficulty of tracking cases and providing meaningful statistics was compounded by the unprecedented rise in drug-related filings and an arcane criminal case management system, explains Information Systems Director Cielo L. Keller.

The court, however, saw these challenges as an opportunity to modernize and realize a vision of a paperless court, which, Keller notes, the Commission on the Future of the California Courts envisioned in its 1994 report, *Justice in the Balance—2020*. The court boldly took Operations Management Information System (DOMAIN), an integrated case-tracking, case management, and decision support system. Because no such system existed, the court had no models to follow. But with the help of outside consultants it reengineered existing case-processing procedures to optimize the use of the new technology.

DOMAIN, according to Ms. Keller, serves as the primary instrument for implementing administrative consolidation. The court's paper-based case-processing system has been replaced by a system that utilizes document images, electronic files and in-baskets, automated forms generation, and real-time minute taking in the courtrooms. In addition, case summary information is available in real time on the court's Web site, offering greater public access to information. Not surprisingly, the modern system "is gaining more converts," says Ms. Keller.

● Contact: Cielo L. Keller, Information Systems Director, 510-268-7604.

Superior Court of Riverside County: *Expedited Victim Restitution Pilot Program*

The idea of Judge Curtis R. Hinman, the Expedited Victim Restitution Pilot Program cuts delays in restitution to crime victims. It also ensures that victims are not lost in the system by having the court initiate communication with them as soon as a complaint is filed instead of after the defendant is sentenced.

In effect at the Superior Court of Riverside County's Banning location for the past 19 months, the program was set up by the court's Financial Services Division in cooperation with the clerk's and the district attorney's offices. The court's practices were modified so that the division receives a copy of the arresting agency report whenever victims are involved, explains Carrie Snuggs, Court Services Supervisor with Financial Services. The report is reviewed, and upon the filing of the complaint Financial Services staff immediately sends a letter to the victims to determine if they have suffered a financial loss. If so, staff then submits a recommendation to the judicial officer about the amount of loss. With this information, the judicial officer can make appropriate orders for payment to the victims at the time of sentencing rather than making a "to be determined" order.

The court began the program in Banning, which has about 250 criminal filings a month, and will expand to its Hemet and Perris locations, Ms. Snuggs reports.

Ms. Snuggs suggests that such a program need not be led by a financial/collections unit but can be implemented by probation or a victim/witness center. "It really can go anywhere and anyone can do it. What we are saying is that we care enough about the victims in our community to do this for them."

● Contact: Carrie Snuggs, Court Services Supervisor I, Financial Services Division, 909-922-7187.

Superior Court of San Mateo County: *Small Claims Internet Web Site*

The online California Small Claims Courts Information Center of the Superior Court of San Mateo County provides accurate and easy-to-understand small claims information relevant to jurisdictions around the state. Special features include local information organized by county; instruction on how to prepare, file, and serve a claim, and on how to collect a judgment; and links to many helpful resources. The site is at www.courtinfo.ca.gov/courts/trial/smallclaims/.

The site as first developed by the court was specific to San Ma-

teo County, but it attracted people seeking information from other California jurisdictions. That led to the addition of generic information applicable throughout the state, as well as information specific to counties statewide, explains Executive Officer Peggy Thompson. The Administrative Office of the Courts (AOC) was approached for support when the site became useful statewide. The site, which resides on the AOC's server, is popular: in December 1998, it received 933 visitors and represented .41 percent of total visits to the California Courts Web site.

"I am very pleased with how it worked out," says Ms. Thompson. "To the extent that we can have more uniform information coming from the courts, the better perception the public will have of the courts. If the core information is consistent from court to court, it improves our credibility with the public."

The county's small claims advisor continually reviews the information on the site to keep it current. "The worst thing a court can do is provide information that's out of date," says Ms. Thompson. "We are committed to maintaining current information. That's an absolute."

● Contact: Peggy Thompson, Executive Officer, 650-363-4516.



Litigants visiting the Self-Help Legal Access Center of the Superior Court of Ventura County can speak to volunteer attorneys, student interns, and paralegals; access information on the center's computers; view videotapes; and use the center's resource library. *Photo: Tina L. Rasnow.*

Superior Court of Ventura County: *Self-Help Legal Access Center*

The public's access to the courts and trust in the justice system need to be strengthened. This oft-stated belief has been acted on at the Self-Help Legal Access Center in Ventura.

The center assists self-represented litigants in all areas of the law, provides community outreach and education about the court's role, refers individuals to nonlegal community resources to help them solve problems the court cannot resolve, and works with local schools to expand early intervention programs for juveniles, such as Teen Court and teen mentoring. The center is staffed full time by an attorney coordinator and an experienced bilingual clerk.

Litigants can speak to volunteer attorneys, student interns, and paralegals, or they can access information on the center's computers, view videotapes, or use the center's resource library, which is geared to laypersons.

The center opened its doors in January 1998. In its first year it served 6,140 people: 3,058 received some type of one-on-one assistance (from a volunteer attorney, student, or staff member), and 3,082 used various center resources. Assistant Executive Officer Florence Prushan credits full-time Attorney Coordinator Tina L. Rasnow for the center's success. Prompted by the center's popularity, the court in December opened a second self-help center in Oxnard to serve a low-income community with a large Spanish-speaking population.

Ms. Prushan says the court and staff receive much positive feedback from providing help beyond the traditional court role. If a landlord-tenant issue, for example, leads to an eviction, the center can refer the evicted person to places offering temporary housing and employment opportunities.

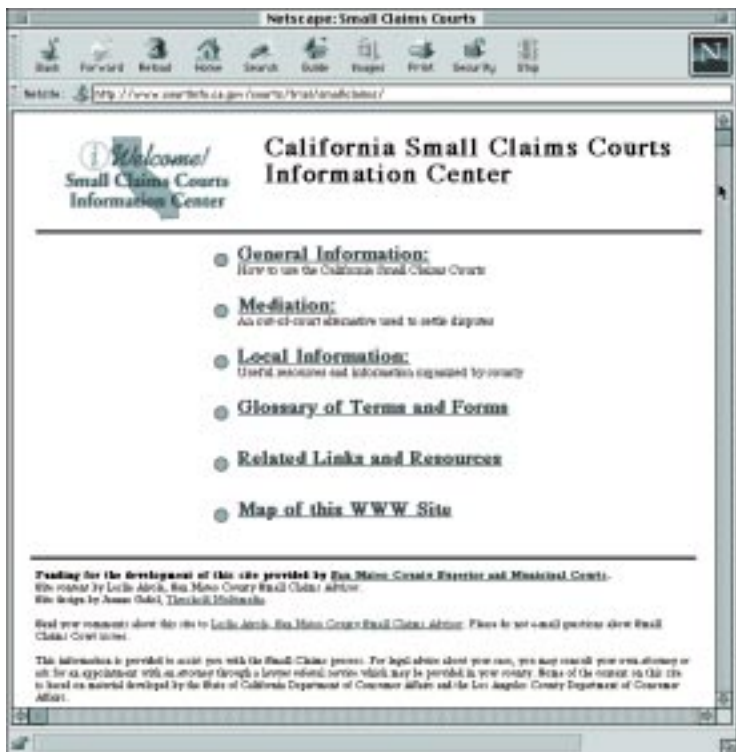
● Contact: Florence Prushan, Assistant Executive Officer, 805-654-2604.

Municipal Court Judges Association of Los Angeles County (an association of 24 Los Angeles County municipal courts): *Consolidated Criminal History Reporting System (CCHRS)*

The project's steering committee, led by Judge Kenneth Lee Chotiner, would not be deterred from realizing its vision to create a computer tracking system that would enable county judges and law enforcement officials to positively identify criminal suspects more efficiently. Focusing on the people who would be using the system, the committee overcame bureaucratic lethargy and even won over nay-sayers.

In development for nine years, the Consolidated Criminal History Reporting System (CCHRS) has been operating since January 1, 1997.

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The small claims court site first developed by the Superior Court of San Mateo County for the county now serves the entire state.

Kleps Award
Continued from page 6

Defendants' criminal histories previously had been fragmented and stored in several incompatible databases. With CCHRS, defendants' livescan fingerprints, obtained with laser technology, are digitized and electronically transmitted to the sheriff's county fingerprint computer; the defendants' records, linked to the fingerprints, stay with them in a central data warehouse. With a heads-up on defendants, judges can make immediate bail decisions and appropriate sentencing determinations in misdemeanor cases because CCHRS instantaneously provides information about defendants' criminal histories, outstanding bench warrants, time served, special handling warnings, and communicable diseases. It also alerts judges to three-strikes defendants.

CCHRS contains more than 200 million separate computer records and over 8.5 million subjects with more than 20 million names. Even with this volume, the system—which is adaptable and can be transported to other jurisdictions—enables positive identification in less than 2.5 seconds with an accuracy rate of 98 percent. "CCHRS provides accurate, current, and instantaneous information," says Judge Chotiner. "It is a dream come true for the bench."

● Contact: Judge Kenneth Lee Chotiner, 213-974-5891.

Los Angeles Municipal Court:
Project 2000

The Los Angeles Municipal Court was the first government entity in the state to join this community-based partnership with the Exceptional Children's Foundation Project 2000, which provides long-term, non-sheltered, full-time employment for developmentally disabled adults.

After identifying tasks and assignments that enhance court operations and fall within Project 2000 adults' skill levels, the court determined that the clerical aide position was most appropriate for the program. The position pays above the minimum salary rate and includes a training component to give participants the skills to complete the assignments and also to build their self-esteem. Participants can become court employees in this category and advance to the Deputy Clerk I classification. The court also developed a structure to allow hiring Project 2000 participants as court employees without going through the standard civil service process.

The court has ensured that, even in its fast-paced, demanding environment, Project 2000 participants are nurtured and valued; have opportunities to interact with courtroom staff, attorneys, and the public; and are groomed to make the transition into real-world employment. As a result, the court and the participants have reaped benefits. "The adults provide the court with stable and reliable workers for high-turnover positions," says Senior Administrative Assistant Julia Hoskins. "If they make it to the clerical aide position, they tend to stay, and that's a real benefit to the court." Of the 20 Project 2000 adults who have worked at the court since 1986, 9 have become full-time court employees and 4 are trainees.

● Contact: Marcia Skolnik, Public Affairs Director, 213-974-6358.



Robert Gonzalez, Los Angeles Municipal Court Clerical Aide and former Project 2000 client, was interviewed by a KABC-TV reporter for a segment the station aired last fall. *Photo courtesy of the Los Angeles Municipal Court.*

Superior Court of Orange County:
Domestic Violence Registry

Effective January 1, amended legislation requires courts, within one business day of the issuance of criminal court protective orders, to enter specified data directly into the California Law Enforcement Telecommunications System (CLETS) or to transmit the order to law enforcement personnel authorized to enter the data into CLETS.

The Superior Court of Orange County, however, is well ahead of the curve. The court initiated its Domestic Violence Registry in June 1997 at the request of the county's Family Violence Council, points

CJAC, Millennium Fast Approaching

With the year

2000 imminent, presiding judges, court administrators, and court leaders from the state's trial and appellate courts can look forward to "Exploring the

Next Millennium" at the 1999 California Judicial Administration Conference (CJAC).

The conference, sponsored by the Judicial Council and Administrative Office of the Courts, will be held March 10–13 at the Westin Hotel in Long Beach.

Besides numerous workshops and panels offering current information and advice on issues of pressing interest to the



courts, the conference will feature two luncheons to honor Judicial Council award winners. The Ralph N. Kleps Award for Improvement in the Administration of the Courts will be presented to recipients on Thursday, March 11; Judicial Council Distinguished Service Award honorees will be feted on Friday, March 12.

● Contact: Claudia Fernandes, Administrative Education, 415-865-7799.

out Robert H. Gray, Executive Director of the Central Justice Center for Criminal Operations. The registry captures and stores domestic violence–related restraining and protective orders in partnership with the sheriff's department, which is responsible for communicating with law enforcement personnel and coordinating law enforcement county-wide. Once the court issues an order, it reports the action via CLETS to the Department of Justice's statewide domestic violence protective order registry. At the same time, the court captures and stores the order on its optical disk system. When a CLETS inquiry results in a "hit," a copy of the order can then be retrieved electronically and faxed by the court or the sheriff's department to a requesting judicial or law enforcement officer 24 hours a day, 7 days a week, anywhere in the state. Since the registry was inaugurated in 1997, more than 11,000 restraining and protective orders have been processed through the system, reports Mr. Gray.

Since this court is one of a handful of courts already in compliance with the new law, the Orange County experience was useful in assisting legislators in drafting the law. Court officials have also participated in statewide and regional educational seminars.

● Contact: Robert H. Gray, Executive Director of the Central Justice Center for Criminal Operations, 714-834-3571.

Superior Court of San Diego County:
Delinquency Treatment Reform Project

Perceiving his bedrock responsibility to the justice system as extending beyond his courtroom, Juvenile Court Presiding Judge James R. Milliken initiated steps to ensure funding and in-state resources for supervision and treatment of juveniles on probation. Previously, for lack of staffing and affordable in-state treatment programs, juveniles on probation could not be properly supervised so they had little motivation to follow court orders.

The Choice program, a major reform, uses recent college graduates to maintain a justice system presence with first-time offenders. The graduates contact the juveniles three times a day and also work with their families. The program is made possible with \$2 million in seed money from a private foundation and matching funds from the county, which also has provided \$6 million in full county funding—a \$10-million total package to keep the program running through the year 2001.

In 1996, 259 juveniles started in the Choice program; 143 have successfully completed it. A study of participants revealed that only 34 percent of Choice juveniles had been rearrested six months after probation, compared to 48 percent of nonparticipants.

In addition, a Juvenile Delinquency Prevention Trust Fund has been set up to convert empty office spaces at juvenile camp into a teen drug treatment facility and a youth correctional center for older, more serious offenders. The savings from keeping treatment in California finances the facilities' current and future operations.

● Contact: Marilyn G. Laurence, Public Affairs Officer, 619-531-4484. ■

Electronic Filing Makes Experimental Debut

Courts in California edged a bit deeper into the digital age December 1 when Brayton, Purcell, Curtis and Geagan filed a motion in *Lucas v. Abex Corp., Inc.*, with the San Francisco trial courts.

The filing was the first in San Francisco's pilot electronic filing and service program, the most comprehensive approach to date on electronic transfer among the state's courts. In its first two months of operation, the experimental system has seen electronic filing and service of 598 of the estimated 8,500 documents filed in asbestos cases in that period.

"We're in the initial phase of finding out what works and what doesn't work," says Alan Carlson, the court's Executive Officer. "It's way too early to make any assessment about the program, and there is a lot that needs to happen before we expand it."

Electronic filing or e-filing allows attorneys to transmit doc-

uments and other information to the court through an electronic medium rather than on paper. This approach was especially attractive in San Francisco, where 419 asbestos cases—among the most voluminous in the system—were filed last year.

NUMEROUS BENEFITS

Some benefits are obvious: the costs of paper handling and storage are eliminated for both attorneys and courts, and courts are freed from redundant data entry. Other benefits are less obvious but substantial. Document processing is far easier to manage, yielding greater productivity for the courts, attorneys, and others who need access to court records.

"E-filing is coming, there's no doubt about that," notes Victor Rowley, Manager of Technology Policy and Planning in the Administrative Office of the Court's Information Services Bureau and staff to the Judicial

Council's Court Technology Advisory Committee. "We've all been exposed to new ways of doing business. The Internet has become fast, secure, and reliable. People are eager to see the technology applied in the courts."

The advisory committee and Mr. Rowley are currently assessing the status of e-filing in the courts and examining local rule amendments and statutory changes that will be necessary to expand its use.

"We're determined to do what we can to assist in propagating e-filing on a statewide basis."

—Judge Judith Donna Ford, Chair
Court Technology Advisory Committee

At the California Judicial Administration Conference in March, the advisory committee will meet with administrators from around the state to assess where trial court systems are on the road to the digital future (see box, this page). The committee also plans to organize a statewide Technology Managers Group made up of specialists responsible for providing technology and business services in the trial courts—the managers who will be crucial to the successful widespread implementation of e-filing.

"We want to take a comprehensive look at what's going on around the state," says Judge Judith Donna Ford of the Superior Court of Alameda County and chair of the technology advisory committee. "We're determined

to do what we can to assist in propagating e-filing on a statewide basis."

CHANGES IMMINENT

That will mean changes in rules to allow for e-filing, but also changes in statutes to allow for changes in service. Already the AOC's Office of Governmental Affairs is working with the advisory committee and interested legislators in drafting proposals that will allow for statewide e-filing. "We think that the model for fax filing is clearly analogous to where we are today," notes Mr. Rowley. "At the very least it's a starting point, since really just the technology has changed."

Indeed it has. San Francisco's pilot project employs the system

created by LAWPlus, a Dallas-based Internet company and one of several vendors that have created filing and service systems for the courts. Instead of the traditional print/copy/messenger/file/fee-payment procedure, LAWPlus allows attorneys to log on to its Web site and follow menu instructions to file or serve documents from any location, 24 hours a day.

But while solutions to many of the technological challenges surrounding e-filing are in the works, many management and policy issues—payment of filing fees, privacy and public access, standards, and record retention—remain complex and controversial.

"I'd like to think that we could have the legislative issues worked out by the end of the year," says Mr. Carlson, who pioneered San Francisco's e-filing effort. "But even then, I think we're two to three years out for any broad use by the courts."

Justice Joanne C. Parrilli of the Court of Appeal, First Appellate District, and chair of the Projects, Rules, and Standards Subcommittee of the Court Technology Advisory Committee, agrees that widespread use of e-filing in the near future is inevitable. "I think we're going to see e-filing in more major metro areas by the end of the year, but not in all courts and not for all purposes."

"Initially a limited number of courts will be experimenting in limited areas of the law," Justice Parrilli predicts. "We'll then take what we learn from these lessons and apply them elsewhere and eventually statewide." ■

E-Filing Workshops Scheduled

The Judicial Council's Court Technology Advisory Committee (CTC) will host two sessions on electronic filing on Thursday, March 11, at the California Judicial Administration Conference at the Westin Hotel in Long Beach. The first, at 2:15 p.m., will include presentations on e-filing from the MIS Director of the Utah state courts and others. The 4:15 p.m. session will be a discussion on the topic, "With regard to statewide issues, what can the CTC do in 1999 that will support you in your e-filing efforts?"



Judge Judith McConnell

Judge McConnell Selected for First Access to Justice Award

Superior Court of San Diego County Judge Judith McConnell is the first recipient of the Benjamin J. Aranda III Access to Justice Award.

Sponsored by the Judicial Council Bench-Bar Pro Bono Project Advisory Committee, State Bar, and California Judges Association (CJA), the award will be presented annually to a trial judge or appellate justice whose activities demonstrate a long-term commitment to improving access to the courts. It is named for the late Judge Benjamin J. Aranda III, who was known for his tireless efforts to promote fairness and access in the courts.

In a letter to all State Bar members in 1996, Chief Justice Ronald M. George wrote, "To perform their judicial function, our courts must be accessible to all our citizens. However, equal access to justice is clearly at risk

if poor and low-income Californians are unable to obtain the equal representation they need but cannot afford."

The Bench-Bar Pro Bono Project, a joint effort of the Judicial Council, State Bar, and CJA, was created in 1996 to educate the bar and the judiciary about causes of and solutions for lack of access to the courts, including ways the judiciary can be involved in improving access and encouraging increased pro bono services. The Pro Bono Project developed the Access to Justice Award to help advance this goal.

HONORS IN LONG BEACH

Judge McConnell will receive the award during the California Judicial Administration Conference March 10-13 in Long Beach.

Judge McConnell was appointed to the municipal court in 1977 and elevated in 1980. Her commitment to improving the

accessibility of the judicial system for all Californians regardless of income has long been reflected in her numerous activities. Judge McConnell was co-founder and president of the San Diego Lawyers Club. She has been a member of the Judicial Council, its Advisory Committee on Gender Bias in the Courts, and the subsequent Advisory Committee to Implement the Gender Fairness Proposals. She chaired the Committee on Civil Cases of the Commission on the Future of the California Courts and the council's Advisory Committee on Trial Court Coordination Standards. Currently she co-chairs the council's Community-Focused Court Planning Implementation Committee.

● Contact: Arline Tyler, Administrative Office of the Courts liaison, Council and Legal Services Division, 415-865-7671. ■



Art Flourishes at AOC and Courts’ Civic Center Home

First, there was the mystery of “The Marriage of Justice.” The massive allegorical painting by Arnold Matthews hung above the bench in the State Building courtroom for more than 30 years until it disappeared in the remodeling frenzy of the 1950s. Nearly a half-century later, with the restoration of the courtroom under way, the search was on for the 35-foot canvas depicting hand-holding maidens at an Arcadian wedding.

“It was our first priority,” says Barbara George, chair of the Art Committee for the Civic Center complex. “We exhausted every reasonable avenue of inquiry but in the end had to conclude that the painting was lost.”

Mrs. George had more than an art-lover’s interest in the fate of the painting. A design consultant and a docent at the Fine Arts Museums of San Francisco, she is also the wife of Chief Justice Ronald M. George. For years, Mrs. George has volunteered her time and talents to projects involving the court’s history. And her membership on the California Arts Council also prompted architects working on the courtroom restoration to ask her assistance in locating the Matthews mural.

ARTS BUDGET BORN

Although the fate of the mural remains unknown, through Mrs. George’s efforts the Art Committee found something far more tangible: a \$1.5-million art budget for the new buildings.

Unlike the federal government and many municipal governments, the state does not set aside a percentage of construction costs for art in public buildings. The vast expanses and miles of blank wall space of the restored Earl Warren Building and the new Hiram W. Johnson State Office Building would have made painfully obvious that no funds had been dedicated for art.

Through Mrs. George’s involvement with the Arts Council, project representatives approached the state General Services Administration, and after further discussions, an art budget was born.

“I’ve learned and firmly believe that the placement of art in public buildings instills a sense of well-being among those who work there,” says Mrs. George. “It also makes a more inviting environment for visitors.”

The Art Committee—composed of Supreme Court Justice Ming W. Chin, Presiding Justice J. Anthony Kline of Division Two of the First Appellate District of the Court of Appeal, and eight project managers, architects, and art consultants—was



Barbara George, Art Committee chair, stands in the Great Hall next to James Carpenter’s “Conical Light Sculpture.” Photo: Jason Doiy.

appointed in mid-1997. The committee drafted criteria for art for the buildings. Foremost among them was that the work represent the diversity of the state and that it be appropriate for the uses of the Civic Center complex.

FOUR PIECES COMMISSIONED

The committee reviewed hundreds of works and proposals from artists, the result of a statewide competition. From these, it approved four major commissions.

A grand presence in the Great Hall of the complex is sculptor John Carpenter’s woven stainless steel structure, “Conical Light Sculpture.” The

50-foot-tall sculpture is meant to evoke the state’s towering redwood forests.

A 35-foot-long mural of the Sierra by Marin artist Willard Dixon fills the space once occupied by the still-missing “Marriage of Justice,” above the bench in the courtroom.

In the foyer of the courthouse building will be an installation consisting of memorabilia and projected images capturing the legal history of the state. The work is by San Francisco artist Ann Chamberlain. For the second-floor dining area, the committee commissioned four California landscapes by Humboldt County painter James McViker.

The Art Committee also purchased several individual art-

Supreme Dedication

The California Supreme Court on January 8 celebrated the return to its historic headquarters at the renovated Earl Warren Building in San Francisco’s Civic Center.

“The courtroom you see today is very different from the one left behind in 1989,” Chief Justice Ronald M. George said in his introductory remarks. “The opinion of the court about our newly restored location is unanimous. We are thrilled and excited by the renovations that have taken place in the entire building, and particularly with the changes in the courtroom, which has been restored to its original glory.”

Attending the hour-long dedication ceremony and the reception that followed were the seven current justices and five former justices, including former Chief Justice Malcolm M. Lucas. Some 150 guests watched the ceremony in the courtroom and in an overflow room. In addition to the two Chief Justices, other speakers at the ceremony included Associate Justice Stanley Mosk, who has served on the court since 1964; Peter Belton, a senior staff attorney with the court since 1960; and Alba Witkin, the widow of California law authority Bernard E. Witkin.

The court vacated the Civic Center site in 1989 after the Loma Prieta earthquake. Major changes in the courtroom, which was first used in 1923, include a restoration of the skylight, a new 35-foot scenic mural above the bench, and installation of technological innovations.

works, including photographs, paintings, drawings, and mixed-media works. All of the works approved by the committee will be exhibited in the public spaces of the building after the move has been completed.

HISTORIC COURTHOUSES

Another special project Mrs. George took on, with the support of Supreme Court and Administrative Office of the Courts staff members, was a collection of historic courthouse photos from every county in the state. The exhibit, which took more than a year to compile, is displayed at the entrance of the Judicial Council Conference Center.

“We wanted to represent each of the counties in this new building,” Mrs. George explains. “The collection symbolizes the statewide role of the Judicial Council and the administration of justice in the state. Because the council and the AOC have quarters truly befitting their important work, we’re proud to have each of the counties represented here in this facility. Each courthouse played a dramatic role in shaping California’s history.” ■

Modern Meeting, Training Facility to Open Its Doors

The new Judicial Council Conference Center, featuring state-of-the-art technology, will be dedicated on April 30. Besides the council meeting room and anteroom, the facility includes classrooms, conference rooms, a video conference room, a distance-learning center, and a computer training room to accommodate training programs, educational events, and advisory committee and task force meetings. A dining room is also part of the facility.

The conference center is located on the third floor of the Administrative Office of the Courts’ new quarters at the Hiram W. Johnson State Office Building, 455 Golden Gate Avenue, in San Francisco.



Willard Dixon’s courtroom mural is one of four major commissions for the Civic Center complex. Photo: William A. Porter.



Judge J. Richard Couzens

Judge Couzens is a member of the Judicial Council and past chair of its Criminal Law Advisory Committee.

Opinion Explains 'Same Operative Facts'

BY JUDGE J. RICHARD COUZENS
SUPERIOR COURT OF
PLACER COUNTY

The three-strikes law specifies that if a defendant commits a series of criminal offenses, having suffered a prior strike conviction, the court must impose consecutive sentences for the current offenses if they were "not committed on the same occasion" and did not arise "from the same set of operative facts." (Pen. Code, §§ 667(c)(6) and (7), and 1170.12(a)(6) and (7).) The California Supreme Court has determined that "same occasion" refers "at least to a close temporal and spatial proximity between the acts underlying the current convictions." (*People v. Deloza* (1998) 18 Cal.4th 585, 599.) Accordingly, if the current offenses did occur close in time and distance, the court retains jurisdiction to impose concurrent sentences. *People v. Durant* (1999) 68 Cal.App.4th 1393 is the first published opinion to define the phrase "same set of operative facts."

DURANT INSTRUCTIVE

The facts of *Durant* are instructive. The defendant, unaware that he was being watched by the

police on the ground and from the air, entered a condominium complex. After wandering through some of the complex, he approached a particular unit and unsuccessfully attempted entry. After a few minutes, he resumed his walk through the complex. He approached a second unit and again unsuccessfully attempted

situation being the robbery of multiple victims in a single incident. (See, e.g., *People v. Deloza, id.*; *People v. Hendrix* (1997) 16 Cal.4th 508; *People v. Newsome* (1997) 57 Cal.App.4th 902; and *People v. Bell* (1998) 61 Cal.App.4th 282.) Where, as in *Durant*, the crimes were separated by more than a few seconds and involved



entry. The defendant then walked to a third unit several streets away. He successfully completed entry and was arrested shortly thereafter with a VCR taken from the residence. He was convicted of two attempted and one completed burglaries with one prior serious felony conviction.

Justice Huffman, in writing the opinion of the court, observed that numerous courts have had no difficulty in finding that multiple crimes occurred "on the same occasion" when the crimes occurred almost simultaneously, the most common

separate places and victims, the courts must look to additional factors to determine whether there is discretion to impose concurrent sentences.

FACTS DEFINED

The court found that the phrase "same operative facts" generally has been used by courts to refer to "the facts of a case which prove the underlying act upon which a defendant had been found guilty." (*People v. Durant, supra.*) The court explained: "In applying this definition to any particular case, the nature and elements of the current offense

charged become highly relevant. For example, when a robbery is charged, its continuous nature, its elements, and the facts used to support those elements are the 'operative facts' underlying the commission of that crime. If another offense is committed while the facts underlying that robbery are unfolding, it will necessarily arise from the same set of operative facts as the original robbery. However, where the elements of the original crime have been satisfied, any crime subsequently committed will not arise from the same set of operative facts underlying the completed crime; rather such crime is necessarily committed at a different time. For instance, with the crime of burglary, where the offense is complete when there is an entry into a structure with felonious intent . . . , the commission after the first burglary of a crime or burglary of another structure necessarily will arise out of different operative facts than those underlying the original offense. We therefore believe the elements and nature of a charged crime as being continuous or complete as defined for purposes of prosecution are additional factors the court must consider in determining whether multiple current crimes were committed on the 'same occasion' and arose from the 'same set of operative facts' when the offenses are committed more than seconds apart." (*Id.*; emphasis added.)

Applying its definition of "same set of operative facts" and the definition of "same occasion" in *Deloza*, the court found the circumstances of the two attempted burglaries and one completed burglary mandated consecutive sentencing. The court rejected defendant's contention that concurrent sentencing would be authorized because the crimes were committed during a single course of criminal conduct and had but a single criminal objective. ■

Riverside Is New Home to Fourth Appellate District, Division Two



The new home of the Fourth District of the Court of Appeal, Division Two, recalls the architecture of downtown Riverside's historic public buildings. An ellipse of two-story-high columns connected by a steel-trellised canopy creates an elegant entrance—a visual hallmark of courthouses. *Photo: Robert D. Lloyd.*

courtroom, judicial chambers, and a 2,300-square-foot law library. Said the Presiding Justice, "The new court building will allow the court staff to function more efficiently and to better serve the public."

The building was dedicated on January 22 in a ceremony at which Supreme Court Justice Kathryn M. Werdegar was guest speaker. A crowd of about 600 people attended.

The building is part of a new justice center in downtown Riverside that includes the recently restored Riverside County court building and the Federal District Court building now under construction.

The design/build team was A. C. Martin Partners, Swinerton & Walberg, and Vitetta Group. ■

Division Two of the Fourth District of the Court of Appeal has moved from its San Bernardino quarters to a new courthouse in Riverside, following years of planning. In a unique arrangement, Riverside County issued bonds to finance the building and allowed the court to lease the facility from

the county for 25 years, with the option to buy the property for the remaining dollars owed.

Leading the move for the new building was Presiding Justice Manuel A. Ramirez, who said, "We had outgrown our quarters in San Bernardino." The 42,000-square-foot building includes a 1,600-square-foot

NEW ADDRESS

Court of Appeal
Fourth Appellate District
Division Two
3389 12th Street
Riverside, CA 92501
Office of the Clerk:
909-248-0200

Unification Mono Makes 51

Mono County's unanimous written consent to unify its trial court operations, effective February 1, brings to a total of 51 the county judicial systems that have unified. Five counties—Kings, Modoc, Monterey, Tuolumne, and Yuba—have not acted on unification although they have coordinated their services. Unification did not pass in Kern and Los Angeles Counties.



Courts, AOC, DMV test information network

Courts in 12 counties, the Administrative Office of the Courts (AOC), and the Department of Motor Vehicles (DMV) are testing the California Judicial Network (CJN), a facet of a critical pilot project that promises to revolutionize judicial branch communications.

The pilot project will test the viability of the Internet for sending secure encrypted e-mail among its participants. Current participants are judges, commissioners, clerks, executive officers, and information systems personnel working in selected courts, as well as Department of Motor Vehicle personnel.

Operational sites as of January 1 were the AOC and courts in Alameda, Contra Costa, Marin, Riverside, San Francisco, and San Mateo Counties. Sites in the process of being connected are the DMV and courts in Humboldt, Orange, Sacramento, San Diego, Shasta, and Siskiyou Counties.

POTENTIAL USES

As a beginning, the DMV will electronically send weekly lists of Driving Under the Influence (DUI) probation violations to the courts located in the county in which the original DUI convictions occurred. In addition,

court administrators will be able to share with the AOC and other courts data on statistical performance, budgets, human resources (job openings, for instance), trends, court rules, policies, procedures, and the status of legislation affecting the courts. Judicial officers and court administrators will be able to communicate with other courts about policy and legislative issues. These exchanges, often in the form of draft reports, policies, or legislation, can be transported via encrypted e-mail.

In the future, reporter's and clerk's transcripts and other documentation (including images of evidence) associated with appeals could be transferred electronically on an appropriate network, saving the person-hours and reproduction, mailing, and storage costs.

A training/promotional campaign was initiated in January to train pilot project participants in transmitting e-mail and using the Web site with the master directory.

● For more information about the California Judicial Network, contact Tatiana Cherkas, Technology Policy and Planning, 415-865-7435.

Courts using JBSIS standards

Courts throughout the state are entering a new world of statistical reporting that will provide more accurate, consistent, and relevant results.

The first reporting under the Judicial Council-approved Judicial Branch Statistical Information System (JBSIS) began with the January 1999 case statistics reported by several courts according to the JBSIS standards.

Sutter County was the first to begin JBSIS reporting in the area of family law, submitting its initial report in October 1998.

Courts currently unable to meet JBSIS reporting standards will continue to report according to previous Judicial Council statistical reporting requirements. (See *September-October 1998 Court News*, "Court Technology: New statistical information system for courts is inaugurated.")

DATA WAREHOUSE

The Administrative Office of the Courts (AOC) is currently developing a data warehouse through which court staff, the Judicial Council and its committees, legislators, and other government agencies can access case statistics collected by JBSIS. Users will be able to run trend analyses and queries measuring court case filings and dispositions, case characteristics, and case workload. Initially, courts will submit their monthly JBSIS reports electronically as e-mail attachments. Eventually a mechanism will be developed to allow courts' case management systems to interact directly with the data warehouse.

Before they begin JBSIS reporting, courts are required to participate in AOC-sponsored training. Separate training sessions have been held for groups of courts using the same case management system, with partic-

ipation by vendors, to promote collaboration by courts. The training sessions offer courts and vendors the opportunity to ask questions and AOC staff the chance to clarify areas of confusion. By March 1999, 43 courts will have participated in training.

In addition to providing clarification to the courts, the training sessions have offered the opportunity to discuss the JBSIS standards themselves, including needed revisions or reconsideration.

The second edition of the *Judicial Branch Statistical Information System (JBSIS) Manual*, which was released in late January 1999, incorporates comments gathered during training sessions, as well as questions submitted to AOC staff. As specified in the *JBSIS Manual*, the maintenance of data standards is an integral part of JBSIS. The manual will be updated annually to incorporate any new data-collection requirements and ensure that judicial branch information needs are being met.

Materials about JBSIS have been posted to the Serranus Web site, which is exclusively for use by the courts. These materials include:

- ▶ Revised *JBSIS Manual* in Word 7.0 and PDF
- ▶ Criminal case categories
- ▶ Frequently asked questions

Court employees can access the site with a password. Those who need one should contact Angela Zulueta in Information Resource Management, 415-865-7431.

● Contact: Barry Lynch, Information Resource Management, 415-865-7420. ■

JBSIS Defined

The Judicial Branch Statistical Information System (JBSIS) is a set of data standards that will enable courts to generate statistical reports as a byproduct of information entered into their case management systems. The reports provide extensive detail about case-related events in every area of court operations, including detailed measures of workload.

TRIAL COURT FUNDING ACT

Trial court employees task force interim report due

Established by the Lockyer-Isenberg Trial Court Funding Act of 1997, the Task Force on Trial Court Employees anticipates submitting its interim report for comments to the counties, judiciary, Legislature, Governor, and local and state employee organizations by May 7. The interim report, which will include recommendations and findings of the task force to date and specific instructions about how to provide comments, will be available on the task force Web site at www2.courtinfo.ca.gov/tcemployees.

Final recommendations are scheduled to be submitted by September 3. After due consid-

eration is given to the task force's recommendation, the Legislature intends to adopt a new personnel system to be implemented on or before January 1, 2001.

The task force recently expanded the "Working Documents" section on its Web site. The section currently provides the following task force discussion documents:

- ▶ Policy on Public Dissemination of Documents
- ▶ Draft Working Model of Classification
- ▶ Draft Working Salary Range Model
- ▶ Draft Revised Survey Definition of Trial Court Employee
- ▶ Working Classifications and Compensation Assumptions

At its meeting in San Rafael on January 26-28, task force members, among other actions, discussed a meet-and-confer

model, a conflict of interest code, and a revised model for an employment protection system; reviewed task force accomplishments to date and tasks yet to be completed; and began outlining interim report content, communication, and education strategies.

Visitors to the task force Web site and others are welcome to submit comments via e-mail to tcemployees@courtinfo.ca.gov or by mail to Chair, Task Force on Trial Court Employees, 455 Golden Gate Avenue, San Francisco, CA 94102-3660.

Facilities task force update

The Task Force on Court Facilities offers the latest information about its activities on its Web site, www2.courtinfo.ca.gov/facilities.

The task force's next meeting will be March 24-25 in Fresno.

At its January 27-28 meeting in Riverside, the task force demonstrated recommended courtroom standards, determined the comprehensiveness of court facilities standards, listened to county law

librarians' concerns, and heard from local county and court officials about their recent experience in facilities development. The task force's four subcommittees also met.

● Contact: Robert D. Lloyd, Business Services, 415-865-7971, or e-mail: bob.lloyd@jud.ca.gov. ■

Save These Dates

Tentative dates and locations have been set for upcoming meetings of the Task Force on Trial Court Employees. Most meetings have a public comment period at the beginning of each day. Please note that some portions of the meetings at which no formal action will be taken may be closed to the public. For the latest information on meeting dates, check the task force Web site at www2.courtinfo.ca.gov/tcemployees. Agendas will be posted on the site as soon as they are available, under "Meeting Agenda."

March 15-16
April 14-16
May 18-19
June 14-15
July 28-30
August 30-31
September 17

Fresno
Sacramento
San Jose
Orange County
San Francisco
San Francisco
San Francisco

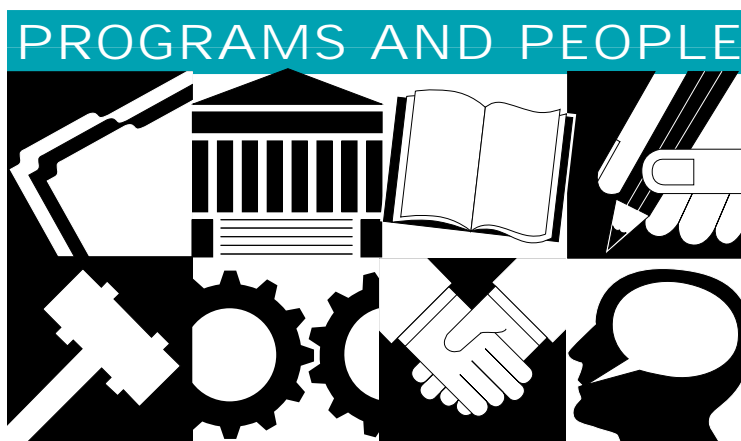


Spotlight on:

Office of Governmental Affairs

Editor's note: Court News continues its series on the programs and people of the Administrative Office of the Courts, the staff agency for the Judicial Council.

Two of the most sweeping court-related decisions of the last year and a half came not from the bench but from the ballot box and Sacramento. Proposition 220—the state constitutional amendment that authorized the voluntary unification of superior and municipal courts—and the Lockyer-Isenberg Trial Court Funding Act of 1997 are landmark measures that will shape the state's judicial system for years to come.



ADMINISTRATIVE OFFICE OF THE COURTS

"One of our prime responsibilities is to maintain a constant two-way flow of information between the legislative and executive branches and the council

dedicated people with diverse experience and expertise."

Advocacy efforts include ongoing contact with legislators and legislative staff, as well as the

Budget issues are of course a main focus of OGA's work. The office coordinates budget presentations to individual legislators, budget committees, and legislative staff. Mr. LeBov and Ms. Howard characterize the council's relationship with the Legislature as extremely positive and productive; they have high praise for the chairs of the judiciary committees: State Senator Adam B. Schiff, who was reappointed chair of the Senate Judiciary Committee, and Assembly Member Sheila James Kuehl, the recently appointed chair of the Assembly Judiciary Committee.

"We look forward to working with the judiciary committee chairs, both of whom are very interested in and well-informed about court issues. Their participation as members of the Judicial Council will also be valuable," notes Mr. LeBov.

The mission of the Office of Governmental Affairs is to promote and maintain excellent relations with the legislative and executive branches and to present the Judicial Council's recommendations on court-related legislative matters pursuant to constitutional mandate.

Deadlines Listed For Justice Awards

Rehnquist Award for Judicial Excellence

March 31 is the deadline for receipt of nominations for the William H. Rehnquist Award for Judicial Excellence, to be presented in Fall 1999 by the National Center for State Courts.

The award will be presented to a state court judge who, in the selection committee's opinion, possesses the qualities of judicial excellence exemplified by Chief Justice of the United States William H. Rehnquist. In addition, the nominee should have at least 15 years of experience on state courts of appellate, general, or limited or special jurisdiction and should have demonstrated the qualities of judicial excellence, including integrity, fairness, open-mindedness, knowledge of the law, adherence to professional ethics, creativity, sound judgment, intellectual courage, and decisiveness. In addition, the nominee should have promoted innovations of national significance in the management of state courts and provided leadership at the national or state level to improve systems of justice.

Los Angeles Municipal Court Presiding Judge Veronica S. McBeth was the 1998 recipient of the prestigious award (see Court News, *January-February 1999*, "Chiefly Honors for Presiding Judge McBeth," page 17).

● Contact: National Center for State Courts, P.O. Box 8798, Williamsburg, VA 23187-8798, 800-877-1233.

National Association for Court Management Awards

April 15 is the deadline for nominations for the Justice Achievement Award presented by the National Association for Court Management's (NACM). The award recognizes courts and related organizations for meritorious projects and exemplary accomplishments that enhance the administration of justice.

● Contact: National Association for Court Management c/o National Center for State Courts, P.O. Box 8798, Williamsburg, VA 23187-8798; phone: 757-259-1841; or e-mail: nacm@ncsc.dni.us.

April 15 is also the deadline for nominations for the NACM Award of Merit. The association's most prestigious individual award is presented annually to a person who has demonstrated leadership and excellence and whose work reflects NACM's purposes of increased proficiency of administration, modern management techniques, and support for the use of technological methods.

● Contact: Nadine Sanchez, Membership Services Committee, 201 West Picacho, Suite A, Las Cruces, NM 88005, 505-523-8283.

and the courts," says Ray LeBov, Director of the Office of Governmental Affairs (OGA). Mr. LeBov, who has directed the OGA staff for the last six years, has played an integral role in advocating major reforms, including court unification, trial court funding, and the creation in 1996 of the first new judgeships in nearly a decade.

In 1996 and 1997, the Office of Governmental Affairs led efforts to enact the Trial Court Funding Act, working closely with representatives of the administration, the legislative leadership, the Chief Justice, the council and its Policy Coordination and Liaison Committee, other AOC divisions, the Bench-Bar Coalition, trial courts throughout the state, the California State Association of Counties (CSAC), and many others. The office continues to work to ensure that the act is successfully implemented and that the courts have adequate funding.

EXPERIENCED STAFF

The 12-person staff, which operates out of offices across from the Capitol, tracks some 1,000 bills each session on all topics of interest to the judicial branch, including civil, criminal, family, juvenile, traffic, jury, and probate. OGA assists the Policy Coordination and Liaison Committee in formulating Judicial Council positions on about 15 percent of these bills. The office also serves as primary staff to that committee.

"We devote considerable effort to making the concerns of the judiciary known to leaders in the other two branches of government," says Kate Howard, Manager of the Office of Governmental Affairs. "Our office's effectiveness is directly attributable to our outstanding staff. We are fortunate to have extremely

Governor's Office and executive branch representatives. Most recently, on March 1, the Judicial Council hosted the fifth Judicial-Legislative-Executive Forum, an annual event in the rotunda of the Capitol organized by OGA and intended to introduce the judiciary to members of the Legislature and executive branch officials. The evening event traditionally follows the State of the Judiciary Address to the Legislature by the Chief Justice.

EFFECTIVE EXCHANGES

OGA also promotes effective communication within the judiciary and with groups such as the State Bar, local and specialty bars, and the California Judges Association. Each fall, the office coordinates meetings hosted by the Chief Justice with bar-related groups and the CSAC to discuss issues of mutual concern.

The office also provides staff support to the Executive Legislative Action Network (ELAN), a 50-member statewide network of trial court judges and administrators.

CONSISTENT PRIORITIES

Mr. LeBov comments that "with the legislative majority and administration of the same party there will be more consistency in the priorities of the other two branches," thereby reducing the likelihood that judicial issues will serve as leverage or "bargaining chips" for unrelated issues. For this year, Mr. LeBov and Ms. Howard say that they will continue to work on the issues that remain priorities of the council: the implementation of unification and trial court funding.

"As with all major reforms, there is a great deal of follow-up," says Mr. LeBov. "Additional legislative changes are needed to ensure a smooth transition. We'll also be working closely with the CSAC to jointly sponsor legislation wherever possible."

The creation of new judgeships and jury reform—particularly juror compensation—as well as the role of the courts in child support and other family law areas, are other priorities. ■

State Budget Limits Court Priorities

Governor Gray Davis's \$77.5 billion budget proposal, announced January 8, reflects reductions of about \$100 million from the courts' requested \$1.854 billion for 1999-2000. Not in the budget are \$40 million in court modernization funding, \$30.6 million for increased juror pay, and \$6.2 million for 50 new judges.

Despite these setbacks, the budget reflects an increase of \$132 million over last year and includes funds to cover salary increases for trial court employees.

Administrative Director of the Courts William C. Vickrey was hopeful that at least some of the funding would be restored later this year. "The Governor's Office and the Legislature are well aware of the needs of the state's courts, and we will continue to work with them toward the full restoration of our budget proposal," said Mr. Vickrey.

Introducing the Office of Governmental Affairs Staff

Ray LeBov, Director of the Office of Governmental Affairs, has been employed by the AOC since 1991. He served in various staff counsel positions in the California Legislature from 1975 to 1991, including service as counsel to the Assembly Committee on the Judiciary from 1979 to 1991. Mr. LeBov has a bachelor's degree in American studies from Yale University and a juris doctorate from the University of Southern California.

Yvette Casillas, Receptionist, has been employed by the AOC since 1997. Prior to joining the AOC, she worked in Southern California for an environmental and geotechnical consulting firm. Ms. Casillas is pursuing a degree in the administration of justice at Sacramento City College and plans to transfer to California State University at Sacramento for a criminal justice degree.

Dan Clark, Governmental Affairs Analyst, has been at the AOC since 1973. He has worked in various local government administrative positions, including four years as city manager of Sonoma, California. Mr. Clark has a master's degree in public administration from Arizona State University.

June Clark, Senior Attorney, has been employed by the AOC since 1994. She is responsible for advocacy on criminal law, juvenile delinquency, and appellate law issues. Ms. Clark practiced law with an environmental law firm in Sacramento from 1992 to 1994. Before that, she was a legislative advocate for Los Angeles County District Attorney Ira Reiner from 1986 to 1992.

Jeffrey Cuneo, Judicial Administration Fellow, is pursuing a master's degree in government at California State University at Sacramento. He works on budget issues and jury reform legislation. He plans to attend law school in the Fall.

Carolyn Fisher, Secretary, has been with the AOC since 1994. Before joining the AOC, she was a full-time student and worked in retail sales, dental office management, and property management. Ms. Fisher has a bachelor's degree in history from Brigham Young University.

Marge France, Supervising Executive Secretary, has been employed by the AOC since 1977. She has also worked as a secretary in the legislative office of California Rural Legal Assistance. Before moving to Sacramento, the California native worked as a secretary and an administrative assistant at the Claremont Colleges in Southern California.

Whitnie McVay Henderson, Legislative Project Coordinator, has been employed with the AOC since 1998. Ms. Henderson is part of the AOC



Staff of the Office of Governmental Affairs in their offices across from the Capitol in Sacramento. From left to right are Anthony Williams, Ray LeBov, Kate Howard, Nini Redway (seated), Yvette Casillas, Michelle Mendoza, Marge France, Whitnie McVay Henderson (seated), Terrie F. Wilfong, Carolyn Fisher, Dan Clark, June Clark (seated), Jeffrey Cuneo. Photo: John Wing Wo.

Director's Intern program. She has responsibility for coordinating the Day-on-the-Bench program, maintaining the office's Web site, and preparing outreach material, and she assists the advocacy staff by reviewing and analyzing legislation. Before joining the AOC, Ms. Henderson was Director of the At Promise Program, an inner-city high school college preparatory program. Ms. Henderson is studying law at San Francisco Law School and expects to receive her juris doctor in May 2000.

Kate Howard, Manager, has been employed by the AOC since 1990. She has also worked in adult education on the implementation of California's GAIN program. Ms. Howard manages the advocacy team and is directly responsible for advocacy on family law, domestic violence, juvenile dependency, and State Bar issues. She has a bachelor's degree in English from the University of California at Irvine and a master's degree in public policy from the University of California at Berkeley.

Michelle Mendoza, Secretary, has been employed by the AOC since 1997. She has worked in the field of government relations for the past eight years. Before joining the AOC, she was employed by a contract lobbying firm whose clients included Nissan Motors and Baxter Healthcare Corporation. Prior to that she worked for a law and government affairs firm that specialized in environmental issues.

Nini Redway, Attorney, has been employed by the AOC since 1997. Her advocacy responsibilities are in the

areas of civil procedure, court technology, and judicial branch education. Before joining the AOC, she served as General Counsel to the California Manufacturers Association, was Chief of Staff to Assembly Members Kevin Shelley and Robert J. Campbell, and served as an Assembly Fellow. Earlier, she lobbied for the Sierra Club and other environmental organizations. Ms. Redway has a B.A. in art history from Vassar College and a law degree from McGeorge School of Law.

Terrie F. Wilfong, Governmental Affairs Analyst, has been employed by the AOC since 1993. She coordinates the Executive Legislative Action Network and is responsible for advocacy on traffic and jury issues. She worked for the California Legislature for 17 years, in both the Senate and the Assembly. Ms. Wilfong has a law degree from Lincoln Law School of Sacramento.

Anthony Williams, Senior Governmental Affairs Analyst, has been employed by the AOC since 1994. His advocacy responsibilities focus primarily on judicial branch budget and trial court funding issues. Before joining the AOC, he worked as a legislative consultant for the California Assembly and as a management consultant with Ernst & Young's Public Sector Consulting Group. Mr. Williams has a bachelor's degree in political science from the University of California at Davis and a master's degree in public policy from Harvard University.



Education & Development

RESOURCES

Curriculum addresses domestic violence

New judges or judges new to an assignment involving domestic violence cases will find useful information in "Domestic Violence: What Every Judge Should Know," a curriculum developed by the Center for Judicial Education and Research (CJER) under the direction of a planning committee chaired by Superior Court of Santa Clara County Judge Mary Ann Grilli.

The program, piloted to excellent reviews at the 1998 B. E. Witkin Judicial College of California, was developed in part to comply with Government Code section 68555, which requires the Judicial Council to establish judicial training programs for individuals who handle domestic violence matters.

Program topics include domestic violence and the legal system, statistics and definitions, the psychology of the victim and the batterer, the effects of domestic violence on children, evidentiary issues, restraining orders, practical issues and resources, and the judicial officer's role. Principal author and consultant was Professor Nancy K.D. Lemon of the University of California at Berkeley Boalt Hall School of Law, a national expert on domestic violence. "The Nature of Domestic Violence—Effects on Judicial Decision Making: A Videotape for New and Experienced Judges," a 60-minute videotape produced in collaboration with the Family Violence Prevention Fund, is among the teaching tools.

● Contact: Bobbie Welling, Project Manager, CJER, 415-865-7745.

Taking court employees 'Beyond Bias'

To help the state courts' 22,000 employees fulfill Chief Justice Ronald M. George's 1997 request that they complete fairness education by December 1999, the Center for Judicial Education and Research (CJER) has developed a four-module curriculum and accompanying videotape, "Beyond Bias: Assuring Fairness in the Courts." The materials have been distributed to courts statewide.

"I recognize the important role of court staff in affecting the court user's view of fair treatment by courts," stated the Chief Justice. "Court employees are the first contact, sometimes the

only contact, the public has with our courts. As such, they have a tremendous opportunity to influence the public's perception of fairness in California courts."

Although designed as a half-day program, the curriculum affords courts the flexibility to offer one or more modules at a time. Each module covers one or more topics—for instance, Stereotypes, Culture, Persons With Disabilities, Sexual Orientation, Communication, and Appreciating and Valuing Differences. All materials and instructions needed to conduct the curriculum are part of the package, including a faculty guide, overhead transparencies, and handouts for duplication. The videotape provides information on the public's perception of the courts and uses scenarios, some of which are based on public hearings conducted throughout California by the Judicial Council's Access and Fairness Advisory Committee.

Executive Officer Yolande E. Williams of the Superior Court of Yolo County chaired the project's Planning Committee. Other committee members were Tish Brabski, Training Officer, Superior Court of San Diego County; Victoria C. Hernandez, Assistant Clerk/Administrator, Court of Appeal, Fifth Appellate District (Fresno); Pat Hill, Executive Director, Central Justice Center Civil Operations and Special Operations, Superior Court of Orange County; and Jessica B. Lee, Trial Court Administrator, Los Angeles Superior Court and Judicial Administration Institute of California liaison.

"Fairness in the California Courts," the curriculum for judicial officers, is also available upon request by judicial officers and court executives.

● Contact: Michael Roosevelt, Project Manager, CJER, 415-865-7820.

Lights, camera, small claims

Depicting a tenant-landlord dispute over a security deposit refund, "Tomas v. Long: A Small Claims Training Video" orients regular and temporary judges to the responsibilities of a small claims assignment.

Social science research indicates that the process used in resolving disputes strongly influences participants' level of satisfaction with the resolution and their attitudes toward the judicial system. The video provides useful tools for improving participants' satisfaction. Appropriate judicial demeanor is demonstrated, as well as ways of managing courtroom activities, identifying and resolving ethical issues, and recognizing factors that influence decision making.

Small claims courts statewide have received a copy of the videotape to help them meet

some of the training requirements for temporary judges under rule 1726 of the California Rules of Court and rule 532.5, which states that the presiding judge is responsible for temporary judges' training and performance. The video, funded in part by a State Bar Foundation grant, was produced by the Judicial Council's Civil and Small Claims Advisory Committee and its Training Video Working Group, supported by the Administrative Office of the Courts' Council and Legal Services Division. This project advances the council's long-range strategic goal of improving "the quality of justice and service to the public."

Superior Court of Santa Clara County Judge Jamie A. Jacobs-May, chair, extended the working group's appreciation to volunteers Supreme Court Justice Ming W. Chin, who narrated the video, and Los Angeles Superior Court Judge Florence-Marie Cooper, who portrayed the small claims judge. She also acknowledged the contributions of the Superior Court of San Mateo County in providing the use of its courtroom; Presiding Judge Kathleen E. O'Leary, Center for Judicial Education and Research (CJER) Governing Committee liaison; committee and working group members; and the CJER Audio-Visual Services group.

● Contact: Cara Vonk, Project Manager, Council and Legal Services, 415-865-7669.

WORKSHOPS

Family Court Services annual institute in March

The Statewide Office of Family Court Services (FCS) Educational Institute will be held March 25–27 in Newport Beach. The annual training is coordinated with the Family Law and Procedure Institute of the Center for Judicial Education and Research (CJER) to allow the judges and FCS professionals to join in five workshops on March 26. More than 400 family court staff members and bench officers are expected to attend this event.

Among the many topics to be presented during the institute are "When Men Batter Women: New Insights Into Ending Abusive Relationships," "How Religious Issues Affect Child Custody," "Making the Special Master Process Work," "Impact of Domestic Violence on Children," and "Visitation Planning for Young Children: Considering Age and Stage of Development."

● Contact: Phil Reedy, Training and Education Coordinator, Statewide Office of Family Court Services, 415-865-7556. ■



Court Briefs

First year of access, visitation grant completed

Thirteen courts have completed the first year of the Access and Visitation Grant Program, which aims to foster opportunities for the safe exchange and contact between nonresidential parents and their children.

Funding for the grants is provided by the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 of the Social Security Act. The Judicial Council was charged with administering these funds at the request of the California Department of Social Services, which applied for and received the grants.

Courts completing the fiscal year 1997–1998 funding cycle were the Superior Courts of Amador, Contra Costa, Fresno, Mendocino, Orange, Sacramento, San Bernardino, San Diego, San Francisco, Santa Barbara, Santa Clara, and Shasta Counties. Los

Angeles Superior Court also completed the first year.

These courts served 38 counties and 2,000 people. They also trained 450 persons, including court staff and staff of nonprofit and community organizations. The programs provided parent and child education; visitation support through monitoring, supervision, and therapy; counseling; mediation; and provider education and training. Services available in each community were also broadened.

All family courts can apply for the grants. Applicants are encouraged to involve multiple courts and counties in their proposed programs, with one court acting as an administrative court. Grant application information for 1999–2000 will be available soon.

● Contact: Timothy Gemelli, Access Grants Coordinator, Statewide Office of Family Court Services, 415-865-7564.

Continued on page 15

Court Briefs
Continued from page 14

MILESTONES

Judge Jaime Corral, Los Angeles Superior Court, attended the annual Mexican National Conference of Appellate Judges in October in Morelia, Mexico. Judge Corral was one of three

judges from the United States attending at the invitation of the National Center for State Courts. The Consumer Attorneys of California presented the “California Judge of the Year” award to Judge Demetrios P. Agretelis, Superior Court of Alameda County. The award recognizes Judge Agretelis’s experience, professionalism, innovation, and significant contributions in adjudicating cases involving civil litigation. Executive Officer Kenneth E. Martone, Executive Officer of the Superior Court of

San Diego County, has left his position after 19 years. Presiding Judge Wayne L. Peterson stated, “There is no question that Ken’s legacy is the tremendous infrastructure which he built up from the time he became Assistant Executive Officer in 1980. That infrastructure will support the court well into the next millennium as we continue to explore new trial court initiatives.” Said Mr. Martone, “I’ve done what I set out to do. The time is right for me personally to step aside and pursue other opportunities.” ■

Feeding the Fund

Sandy Claire of the Administrative Office of the Courts (AOC) Trial Court Services Division slipped into a Quaker Oats can in December to remind fellow employees to give to the seventh annual AOC Holiday Food Drive. This year the drive, headed up by Ms. Claire, took in 363 pounds of food and \$1,997.83 in cash donations. Both cans and cash were distributed to three San Francisco-based programs.



Getting in Touch

CALIFORNIA COURTS WEB SITE
www.courtinfo.ca.gov

The area code for the following is 415 except as indicated.

GENERAL PUBLIC INFORMATION AND QUESTIONS

865-7738, pubinfo@courtinfo.ca.gov

JOB HOTLINE—ADMINISTRATIVE OFFICE OF THE COURTS

865-4261, 865-4262, www.courtinfo.ca.gov/jobs/

JOB HOTLINE—HABEAS CORPUS RESOURCE CENTER

865-4314

MEDIA RELATIONS, MEDIA REQUESTS

865-7726, 865-7729

PUBLICATIONS—REQUESTS

800-900-5980, pubinfo@courtinfo.ca.gov

DIVISION/UNIT

EXECUTIVE OFFICE: 865-4240, 865-4241
Administrative Support Unit: 865-4211
Appellate Court Services: 865-4250

COUNCIL AND LEGAL SERVICES DIVISION

Legal Services: 865-7446
Center for Children and the Courts: 865-7739
Judicial Council Services: 865-7455
Public Information Office: 865-7738
Research and Planning: 865-7454
Secretariat and Conference Services: 865-7640

EDUCATION DIVISION: 865-7745

HUMAN RESOURCES BUREAU: 865-4260
Trial Court Assistance Unit: 865-4269

INFORMATION SERVICES BUREAU: 865-7463

OFFICE OF GOVERNMENTAL AFFAIRS:
916-653-2362

TRIAL COURT SERVICES DIVISION: 865-7552
Court Program Services: 865-7541
Family Court Services: 865-7569
Trial Court Funding: 865-7548, 865-7542


SUBJECT

Access, fairness, diversity: www.courtinfo.ca.gov/programs/access/
Appellate courts, services to
Appellate education: 865-7823, 865-4251

Appellate procedures: 865-7667
Appellate rules: 865-7667
Appointed appellate counsel: 865-4251
California Rules of Court: 865-7681, www.courtinfo.ca.gov/rules/
Cameras in court: 865-7735
Cameras in court form (requests from media): 865-7726, 865-7729
Comment, invitations to: www.courtinfo.ca.gov/invitationstocomment/
Court community outreach: 865-7453, www.courtinfo.ca.gov/programs/community/outreach.htm
Court employees: www2.courtinfo.ca.gov/tcemployees/
Court facilities: 865-7971, <http://www2.courtinfo.ca.gov/facilities/>
Court interpreters: 865-7599, www.courtinfo.ca.gov/programs/courtinterpreters/
Drug courts: 865-7634, www.courtinfo.ca.gov/programs/drugcourts/
Education
Judges—Programs: 865-7754, cjerinfo@courtinfo.ca.gov
Publications: 865-7805, cjerpubs@courtinfo.ca.gov
Videotapes: 865-7792, cjertapes@courtinfo.ca.gov
Court employees—865-7762, jaicinfo@courtinfo.ca.gov
Family and juvenile law
Center for Children and the Courts: 865-7739, www.courtinfo.ca.gov/programs/children.htm
Child support: 865-7685
Court-Appointed Special Advocates (CASA) program: 865-7682
Domestic violence: 865-7689
Family Court Services, Statewide Office of Grants: 865-7557
Mediation/evaluation/alternative dispute resolution: 865-7571
Research, evaluation, and statistics: 865-7555
Standards and programs: 865-7554
Training and education: 865-7556
Judges
Appointments—All levels: Governor’s Appointments Secretary, 916-445-1915
Appellate: Commission on Judicial Appointments: Chair, Commission on Judicial Appointments, Supreme Court of California, 350 McAllister Street, San Francisco, CA 94102-3600

Administrative Office of the Courts
455 Golden Gate Avenue
San Francisco, CA 94102-3660
415-865-4200

Complaints—Sitting: Commission on Judicial Performance: 904-3650 (effective March 22: 557-1200)
Retired: 865-7633
Judicial Council, services to Secretariat and Conference Services: 865-7640, jcservices@courtinfo.ca.gov
Judicial Council forms: 865-7681, www.courtinfo.ca.gov/forms/
Jury reform: 865-7588
Legal: 865-7446
• Alternative dispute resolution
• Civil procedure
• Conservatorship
• Criminal law and procedure
• Delay reduction—civil
• Delay reduction—criminal
• Economic litigation
• Employment law
• Evictions
• Guardianships
• Labor law
• Landlord-tenant
• Probate
• Small claims
Standards of Judicial Administration: 865-7681
Strategic planning
Judicial Council strategic plan: 865-7453, www.courtinfo.ca.gov/reference/1_annualreports.htm#LeadingJustice
Community-focused court planning: 865-7453, www.courtinfo.ca.gov/programs/community/court_planning.htm
Technology policy and planning: 865-7413
Three-strikes law: 865-7688
Trial courts, services to
Change of venue: 865-7637
Coordination of civil actions: 865-7633
Court administration procedures (court holidays, fax filing, forms, rules): 865-7685
Court profiles: 865-7589
Grant coordination: 865-7658
Human Resources—Trial Court Assistance Unit: 865-4269
Judicial assignments: 865-7637
Judicial benefits: 865-4295
Local rules: 865-7669
Three Strikes Relief Team: 865-7633
Traffic: 865-7613
Trial court funding (AB 233): 865-7535
Trial court unification (SCA 4): 865-7702, 865-7708
Vexatious litigants: 865-7612



Calendar

CONFERENCES

MAR 10-13 1999 California Judicial Administration Conference, Westin Hotel, Long Beach

APR 23-25 California Judges Association Mid-Year Meeting, Palm Springs

JUNE 4 Family Violence Conference Reunion, location to be determined

Mid-Level Management Conferences

APR 15-16 Northern Region, Sonoma County Hilton, Santa Rosa

MAY 12-13 Central Region, Piccadilly Inn University, Fresno

JUNE 10-11 Southern Region, Westin Horton Plaza, San Diego

JUDICIAL COUNCIL MEETINGS

All Judicial Council business meetings will be held at the Administrative Office of the Courts in San Francisco except as indicated.

MAR 10 (Westin Hotel, Long Beach)

APR 30 JULY 16 AUG 27 OCT 22 DEC 2

● Contact: Secretariat and Conference Services, 415-865-7640, or e-mail: jcservices@courtinfo.ca.gov.

JUDICIAL EDUCATION

Programs

MAR 25-27 Family Law and Procedure Institute, Newport Beach

APR 15-17 Juvenile Law and Procedure Institute, Manhattan Beach

APR 21-23 Appellate Courts Orientation and Institute, Palm Springs

MAY 13-15 Cow County Judges Institute, location to be determined

Orientation

Orientation programs for new trial court judges, commissioners, and referees are scheduled as follows:

MAR 8-12 MAR 22-26 APR 12-16

MAY 3-7 MAY 24-28

Note: Orientation sessions with insufficient enrollment will be canceled. Call CJER for the latest information.

Computer Classes

Los Angeles	San Francisco
MAR 4-5	APR 1-2
MAY 6-7	APR 29-30

● Contact: CJER, 415-865-7754.

ADMINISTRATIVE EDUCATION

MAR 25 Court Staff Training, Visalia

MAR 26 Court Staff Training, Fresno

APR 22-23 Court Budgeting, Costa Mesa

MAY 5 Appellate Employment Symposium, Riverside

MAY 5-6 Appellate Management Institute, Riverside

MAY 13-14 Court Budgeting, Santa Barbara

● Contact: Administrative Education, 415-865-7754.

COURT NEWS

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